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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE, CALIFORNIA

SHI'IA ASSOCIATION OF THE BAY AREA;  
 DR. NABI RAZA MIR; SYEDA ZAHERA;  
 AHMED MIR; ALI MIR,

Plaintiffs,

vs.

MICHAEL CHERTOFF, Secretary,  
 Department of Homeland Security;

ALBERTO GONZALES, Attorney General,  
 United States;

EMILIO GONZALEZ, Director, United  
 States Citizenship & Immigration  
 Services;

CHRISTINA POULOS, Director,  
 California Service Center;

GERARD HEINAUER, Director, Nebraska  
 Service Center,

Defendants.

) No. \_\_\_\_\_

) [Proposed] Temporary  
 ) Restraining Order and Order  
 ) to Show Cause re: Preliminary  
 ) Injunction

) Date:

) Time:

) Courtroom: \_\_\_\_\_

1 After considering the moving papers filed in this action, the  
2 Court finds:

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4 (1) that this is a proper case for issuance of an order to show  
5 cause; and  
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8 (2) that, unless the Court issues a temporary restraining order,  
9 Plaintiffs will suffer irreparable injury before the matter can  
10 be heard on formal notice.  
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12 **IT IS ORDERED that:**  
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15 1. Defendants appear before this Court on \_\_\_\_\_, at \_\_\_\_\_,  
16 to show cause why a preliminary injunction should not be issued,  
17 enjoining them from calculating Plaintiffs' continued presence  
18 in the United States towards their "unlawful presence" or their  
19 periods of unauthorized employment in the United States.  
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21  
22 2. Pending the hearing on the order to show cause, Defendants,  
23 their agents, officers, employees, and representatives, and all  
24 persons acting in concert or participating with them, be  
25 enjoined from calculating Plaintiffs' continued stay in the  
26 United States towards their "unlawful status," periods of  
27 unauthorized employment, or "unlawful presence" pursuant to INA  
28

1 §§ 245(k) and 212(a)(9), 8 U.S.C. §§ 1255(k), 1182(a)(9).

2  
3 3. A copy of the complaint, declaration(s), and memorandum of  
4 points and authorities, together with a copy of this order to  
5 show cause and temporary restraining order, be served on  
6 defendant no later than \_\_\_\_\_.  
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8  
9 **SO ORDERED.**

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11  
12 DATE: \_\_\_\_\_

13 \_\_\_\_\_  
14 UNITED STATES DISTRICT JUDGE  
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